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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/719,953

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Christina Ann Lacombe

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GENERAL ELECTRIC COMPANY  
GLOBAL RESEARCH  
ONE RESEARCH CIRCLE  
PATENT DOCKET RM. BLDG. K1-4A59  
NISKAYUNA, NY 12309

EXAMINER

FIELDS, BENJAMIN S

ART UNIT

PAPER NUMBER

3684

NOTIFICATION DATE

DELIVERY MODE

02/23/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/719,953	<b>Applicant(s)</b> LACOMB ET AL.	
	<b>Examiner</b> BENJAMIN S. FIELDS	<b>Art Unit</b> 3684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4-12,14,15,18-23,25,26,29,30 and 32-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-12,14,15,18-23,25,26,29,30 and 32-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Introduction*

1. A **request for continued examination (RCE)** under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), **was filed** in this application **AFTER FINAL rejection**. Since this application is **eligible** for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the **FINALITY** of the previous Office action has been **WITHDRAWN** pursuant to 37 CFR 1.114. Applicants submission filed on 23 November 2009 has been entered.
2. The following is a **NON-FINAL** Office Action in response to the communication received on 23 November 2009. Claims 1, 4-12, 14-15, 18-23, 25-26, 29-30, and 32-34 are now pending in this application.

### *Response to Amendments*

3. The Examiner acknowledges the Applicants amendment, comments, and remarks in regards to Claims 1, 15, 26, and 33-34 in view of the originally asserted 35 U.S.C. 112 Rejection of Claims 1-14. As such, the Examiner removes the originally asserted 35 U.S.C. 101 Rejection of Claims 1-14.
4. Applicants Amendments to Claims 1, 3-15, 18-26, and 28-34 have been acknowledged in that: **Claims 1, 15, 26, and 33-34 have been newly amended; Claims 3, 13, 24, 28, and 31 have been newly cancelled; NO Claims have been newly added;** hence, as such, **Claims 1, 4-12, 14-15, 18-23, 25-26, 29-30, and 32-34 are pending in this application.**

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 4-12, 14-15, 18-23, 25-26, 29-30, and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eder (US Pat. No. 7,580,848), [hereinafter Eder] in view of D'Alessandro (US Pat. No. 6,556,974), [hereinafter Alessandro].

Referring to Claim 1: Eder discusses a system for detecting behavioral patterns related to the financial health of a business entity, comprising: a computing device having a processor that executes at least one data collection application to extract financial data and business data that relates to the business entity from at least one data source, wherein the financial data comprises [quantitative] financial data and qualitative financial data, and wherein the business data comprises [quantitative] business data and qualitative business data (Eder: Abstract; Figure 1; Column 4, Line 53-Column 6, Line 47); and the processor performing analytics on the financial data and the business data via an analytics engine residing on a computing device as programming instructions and configured to perform analytics on the financial data and business data, wherein the analytics engine is configured to: (a) analyze [quantitative] data comprising the [quantitative] financial data and [quantitative] business data using a financial anomaly detection technique to detect the behavioral patterns associated with the business entity with respect to [quantitative] data (Eder: Abstract; Figure 1; Column

4, Line 53-Column 6, Line 47; Column 7, Line 45-Column 10, Line 15); (b) analyze qualitative data comprising the financial data and qualitative business data using the financial anomaly detection technique to detect the behavioral patterns associated with the business entity with respect to qualitative data (Eder: Figure 1; Column 7, Line 45-Column 10, Line 15); and (c) evaluate the analyzed [quantitative] data in combination with and in relation to the analyzed qualitative data using a reasoning methodology that incorporates temporal relationships and confidence levels to substantiate the detected behavioral patterns in relation to each other (Eder: Abstract; Figure 1; Column 4, Line 53-Column 6, Line 47; Column 7, Line 45-Column 10, Line 15; Claims 1-5).

Eder, however, does not expressly utilize the term “quantitative” in relation to a system for detecting behavioral patterns related to the financial health of a business entity.

Alessandro, in a similar environment, shows usage of the term “quantitative” in relation to a system for detecting behavioral patterns related to the financial health of a business entity (Alessandro: Abstract; Figure 1; Column 2, Line 56-Column 4, Line 39).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the method and system of Eder for analyzing, modeling and valuing elements of a business enterprise with the features of Alessandro for a method for evaluating current business performance for the purpose of providing a database of cumulative data which could be utilized both externally and internally to organizations thus allowing these organizations to benchmark the data and align themselves amongst

industry peers (Alessandro: Abstract; Column 2, Line 56-Column 4, Line 39; Claims 1-7).

Referring to Claim 4: Eder teaches a system, wherein the data source comprises at least one of [quantitative] business and financial information sources and qualitative business and financial information sources (Eder: Abstract; Figure 1; Column 4, Line 53-Column 6, Line 47).

Referring to Claim 5: Eder discloses a system, wherein the behavioral patterns comprises at least one of likelihood of fraud, financial credit or investment risk and good credit or investment prospect associated with the business entity (Eder: Figure 1; Column 4, Line 53-Column 6, Line 47; Column 7, Line 45-Column 10, Line 15; Claims 1-7).

Referring to Claim 6: Eder shows a system, wherein the data collection application comprises at least one of [quantitative] data collection applications and qualitative data collection applications (Eder: Abstract; Figure 1; Column 4, Line 53-Column 6, Line 47; Claims 1-5).

Referring to Claim 7: Eder discusses a system, wherein the [quantitative] data collection applications comprise commercial database data extraction tools and financial data extraction tools (Eder: Abstract; Figure 1; Claims 1-5).

Referring to Claim 8: Eder teaches the limitations of Claim 1.

Eder, however, does not expressly utilize the term “quantitative” in relation to a system for detecting behavioral patterns related to the financial health of a business entity.

Alessandro, in a similar environment, shows usage of the term “quantitative” in relation to a system for detecting behavioral patterns related to the financial health of a business entity as well as a system, wherein the financial data extraction tools are configured to extract financial data and financial measures from the quantitative financial data and quantitative business data (Alessandro: Abstract; Figure 1; Column 2, Line 56-Column 4, Line 39).

Referring to Claim 9: Eder discloses a system, wherein the qualitative data collection applications comprise event detection and natural language processing tools (Eder: Abstract; Figure 1; Column 4, Line 53-Column 6, Line 47; Claims 1-5).

Referring to Claim 10: Eder shows a system, wherein the event detection and natural language processing tools are configured to extract keywords and text patterns from the qualitative financial data and qualitative business data (Eder: Abstract; Figure 1; Claims 1-5).

Referring to Claim 11: Eder teaches a system, wherein the financial anomaly detection technique comprises at least one of outlier detection, trend analysis, correlation analysis, regression and factor and cluster analysis (Eder: Abstract; Figures 1-3; Claims 1-5).

Referring to Claim 12: Eder discusses a system, wherein the financial anomaly detection technique detects the behavioral patterns based on an analysis of at least one of past financial measures related to the business entity, past financial measures related to at least one industrial segment associated with the business entity and

current financial measures related to at least one industrial segment associated with the business entity (Eder: Abstract; Figure 1; Column 4, Line 53-Column 6, Line 47).

Referring to Claim 14: Eder discloses a system, wherein the analytics engine is further configured to generate an alert signal, wherein the alert signal comprises at least one of a visual representation and textual representation of the detected behavioral patterns (Eder: Abstract; Figure 1; Column 4, Line 53-Column 6, Line 47; Claims 1-7).

Referring to Claims 15 and 18-23: Claims 15 and 18-23 are the method for the system of Claims 1 and 4-12. As such, Claims 15 and 18-23 are rejected under the same basis as are Claims 1 and 4-12 as mentioned supra.

Referring to Claims 26, 29-30, and 32: Claims 26, 29-30, and 32 are directed toward a computer-readable medium storing computer instructions for the system of Claims 1 and 4-12 and the method of Claims 15 and 18-23. As such, Claims 26, 29-30, and 32 are rejected under the same basis as are Claims 1 and 4-12 as mentioned supra.

Referring to Claims 33-34: Claims 33-34 parallel the limitations of Claims 1. As such, Claims 33-34 are rejected under the same basis as is Claim 1 as mentioned supra.

### ***Response to Arguments***

7. Applicants arguments filed 23 November 2009 have been fully considered but have been found to be **moot** and **non-persuasive** in view of the **new grounds of rejection**.



***Conclusion***

8. Any inquiry concerning this communication should be directed to BENJAMIN S. FIELDS at telephone number 571.272.9734. The examiner can normally be reached MONDAY THRU FRI between the hours of 9AM and 7PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KAMBIZ ABDI can be reached at 571.272.6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Benjamin S. Fields  
3 February 2010

/Nga B. Nguyen/  
Primary Examiner, Art Unit 3684